



6-6-06

TH

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/602562-Conf. #8041	
	Filing Date	June 24, 2003	
	First Named Inventor	Michael N. ALEKSHUN	
	Art Unit	1655	
	Examiner Name	K. C. Srivastava	
Total Number of Pages in This Submission		Attorney Docket Number	PAZ-190

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	PTO form SB/08
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Certificate of Mailing
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		Copies of Twelve (12) References
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Megan E. Williams		
Date	June 5, 2006	Reg. No.	43,270

Express Mail Label No. EV 682424464 US Dated: June 5, 2006



Express Mail Label No. EV 682424464 US Dated: June 5, 2006

Docket No.: PAZ-190
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael N. Alekshun *et al.*

Application No.: 10/602562

Confirmation No.: 8041

Filed: June 24, 2003

Art Unit: 1655

For: METHODS FOR PREVENTING AND
TREATING MICROBIAL INFECTIONS BY
MODULATING TRANSCRIPTION
FACTORS

Examiner: K. C. Srivastava

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicants have not submitted copies of each cited U.S. patent in accordance with 37 CFR 1.98(a)(2)(ii). Applicants submit herewith copies of foreign patents and non-patent references in accordance with 37 CFR 1.98(a)(2).

Applicants bring to the Examiner's attention the following co-pending applications:

U.S. Serial No.	10/139591	Filing Date	05/06/02
U.S. Serial No.	09/316504	Filing Date	05/21/99

U.S. Serial No.	09/801563	Filing Date	03/08/01
-----------------	-----------	-------------	----------

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. PAZ-190. A duplicate copy of this paper is enclosed.

Dated: June 5, 2006

MEW/CRC/mch

Respectfully submitted,

By 

Megan E. Williams

Registration No.: 43,270

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/602562-Conf. #8041
Filing Date	June 24, 2003
First Named Inventor	Michael N. ALEKSHUN
Art Unit	1655
Examiner Name	K. C. Srivastava
Attorney Docket Number	PAZ-190

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1*	US-5,563,036	10-08-1996	Peterson et al.	
	A2*	US-6,359,004	03-19-2002	Stamler et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	B1	WO-99/61579-A2	12-02-1999	Tufts University		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	Alekshun, Michael N. et al, "Regulation of Chromosomally Mediated Multiple Antibiotic Resistance: the <i>mar</i> Regulon," <i>Antimicrobial Agents and Chemotherapy</i> , Vol. 41(10):2067-2075 (1997)	
	C2	Brunelle, Alan et al, "Determining Residue-Base Interactions Between AraC Protein and <i>araI</i> DNA," <i>J. Mol. Biol.</i> , Vol. 209:607-622 (1989)	
	C3	Gajiwala, Ketan S. et al, "Winged helix proteins," <i>Current Opinion in Structural Biology</i> , Vol. 10:110-116 (2000)	
	C4	Gallegos, Maria-Trinidad et al, "AraC/XylS Family of Transcriptional Regulators," <i>Microbiology and Molecular Biology Reviews</i> , Vol. 61(4):393-410 (1997)	
	C5	Harrison, Stephen C. et al, "DNA Recognition by Proteins with the Helix-Turn-Helix Motif," <i>Annu. Rev. Biochem.</i> , Vol. 59:933-969 (1990)	
	C6	Huffman, Joy L. et al, "Prokaryotic transcription regulators: more than just the helix-turn-helix motif," <i>Current Opinion in Structural Biology</i> , Vol. 12:98-106 (2002)	
	C7	Kwon, Kyock Joo et al, "Crystal structure of the <i>Escherichia coli</i> Rob transcription factor in complex with DNA," <i>Nature Structural Biology</i> , Vol. 7(5):424-430 (2000)	
	C8	Martin, Robert G. et al, "The AraC transcriptional activators," <i>Current Opinion in Microbiology</i> , Vol. 4:132-137 (2001)	
	C9	Martinez-Hackert, Erik et al, "The DNA-binding domain of OmpR: crystal structure of a winged helix transcription factor," <i>Structure</i> , Vol. 5:109-124 (1997)	
	C10	Randall, L.P. et al, "Role of the <i>mar</i> locus in virulence of <i>Salmonella enterica</i> serovar Typhimurium DT104 in chickens," <i>J. Med. Microbiol.</i> , Vol. 50:770-779 (2001)	
	C11	Sulavik, Mark C. et al, "The <i>Salmonella typhimurium mar</i> Locus: Molecular and Genetic Analyses and Assessment of Its Role in Virulence," <i>Journal of Bacteriology</i> , Vol. 179(6):1857-1866 (1997)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--



Application No. (if known): 10/602562

Attorney Docket No.: PAZ-190

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 682424464 US in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on June 5, 2006
Date

Signature

Megan E. Williams

Typed or printed name of person signing Certificate

43,270
Registration Number, if applicable

(617) 227-7400
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Return Receipt Postcard
Transmittal (1 page)
Information Disclosure Statement (2 pages, in duplicate)
PTO form SB/08 (14 References) (1 page)
Copies of Twelve (12) References